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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/057,697	01/25/2002	Chao-Chen Kuo	02110-URSX	9049

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EXAMINER

WILLIAMS, JEFFERY L

ART UNIT	PAPER NUMBER
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2137

DATE MAILED: 07/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/057,697

Applicant(s)

KUO, CHAO-CHEN

Examiner

Jeffery Williams

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

RD

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1 – 6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The terms "proper" and "easily" in claim 1 are relative terms that render the claim indefinite. The terms "proper" and "easily" are not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

Regarding claims 2 – 6, they are rejected by virtue of their dependency upon claim 1.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

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1 the prior art are such that the subject matter as a whole would have been obvious at the time the
2 invention was made to a person having ordinary skill in the art to which said subject matter pertains.
3 Patentability shall not be negated by the manner in which the invention was made.
4

5 **Claims 1 – 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over**
6 **Admitted Prior Art as disclosed by Applicant in view of Babcock, “Control of a**
7 **Function of a Computer Other Than a Power Supply Function Using a System**
8 **Power Switch”, U.S. Patent 5,845,136.**
9

10 Regarding claim 1,

11 Applicant discloses as Admitted Prior Art a computer protection system which
12 utilizes a writing-preventive jumper, applied to a motherboard, in which the writing-
13 preventive jumper ('device') is employed “in order to prevent a computer from being
14 spoiled by some types of virus that are capable of invading a BIOS memory chip to
15 erase the programs thereof,” or to prevent a virus from “invading a CMOS chip to
16 rewrite data or the real-time clock chip to result in a booting failure of the computer.”
17 (Instant application, par.2, fig. 1).

18 Applicant does not disclose, as Admitted Prior Art, that the write-preventive
19 jumper and motherboard is accommodated by a computer housing. Nor, does the
20 Admitted Prior Art disclose that the write-preventive device is mounted on the computer
21 housing, accessible by the user, and is electrically connected to the BIOS memory chip,
22 the CMOS chip, and the real time clock (RTC) so as to prevent writing to the chips when
23 the writing-preventive device is enabled.

24 Babcock discloses that configuration jumpers located on a computer
25 motherboard are accommodated (enclosed by a system chassis) by a computer

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1 housing (Babcock, col. 1, lines 44-63). Babcock discloses that these configuration
2 jumpers, as an example, are used to control or configure operations of the CMOS or
3 BIOS. Babcock discloses that jumpers are electrically connected to their respective
4 input/output ports (Babcock, col. 1, lines 10-28, 44-63). However, Babcock teaches that
5 the use of configuration jumpers on a motherboard are inconvenient, as the user must
6 open the system chassis and access the motherboard in order to manipulate the
7 configuration jumper. Therefore, Babcock teaches that a control device, located on the
8 computer housing (Babcock, col. 3, lines 33-38), can be used to replace the operation
9 or configuration of computer functions via jumpers. The control device is electrically
10 connected to the respective general input/output ports, previously connected to by the
11 jumper, so as to control the configuration of the computer component (Babcock, col. 3,
12 lines 64-67; figs. 1, 2).

13 It would have been obvious to one of ordinary skill in the art to employ the
14 method of Babcock (for replacing a configuration jumper with a control device so as to
15 control the configuration of computer components) with the computer protection system
16 of the Admitted Prior Art. This would have been obvious because one of ordinary skill in
17 the art would have been motivated to allow a user to enable writing-preventive computer
18 protection for the BIOS memory, CMOS, and RTC without the inconvenience of opening
19 the computer and manipulating the writing-preventive jumper.

20 Thus, the combination of the Admitted Prior Art and Babcock discloses a writing
21 preventive device that is applied in a computer, composed of a motherboard and a
22 computer housing for accommodating the motherboard, and is mounted on the

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1 computer housing (Babcock, col. 1, lines 44-63; col. 33-38). The writing preventive
2 device is electrically connected with a BIOS memory chip, a real time clock chip, and a
3 CMOS chip. The Admitted Prior Art discloses the functional connection of the jumper to
4 the chips (Instant Application, par. 2), while Babcock further qualifies this connection as
5 comprising an electrical connection (Babcock, col. 3, lines 64-67; figs. 1, 2). In addition,
6 the combination of the Admitted Prior Art and Babcock discloses that the writing-
7 preventive device prevents writing to the chips when enabled (Instant Application, par.
8 2; Babcock, col. 1, lines 44-63).

9
10 Regarding claim 2, the combination of the Admitted Prior Art and Babcock
11 discloses an electrical connection to the chips. The writing-preventive device is
12 disclosed to prevent writing to the chips. It is not specifically disclosed that the writing-
13 preventive device connects to the R/W signal pins of the chips. However, it would have
14 been obvious to one of ordinary skill in the art to connect the writing-preventive device
15 to the R/W signal pins of the chips. This would have been obvious because one of
16 ordinary skill in the art would have been motivated to connect a writing-preventive
17 device to the signal pins associated with writing, so as to prevent writing to the chip.

18
19 Regarding claim 3, the combination of the Admitted Prior Art and Babcock
20 discloses:

21 *at least an on/off control switch mounted on the housing for enabling or disabling*
22 *a data-writing action to said chips* (Instant Application, par. 2; Babcock. cols. 1 – 3).

1
2 Regarding claim 4, the combination of the Admitted Prior Art and Babcock
3 discloses:

4 *in which the on/off control switch is a switch having mechanical contacts*
5 (Babcock, col. 3, lines 33-38).
6

7 Regarding claim 5, the combination of the Admitted Prior Art and Babcock
8 discloses:

9 *in which the on/off control switch is a semiconductor switch* (Babcock, cols. 3, 4;
10 fig. 1). Babcock discloses the switch comprising contacts on an integrated circuit, or
11 semiconductor.
12

13 **Claim 6 rejected under 35 U.S.C. 103(a) as being unpatentable over the**
14 **combination of the Admitted Prior Art and Babcock as applied to claims 1 – 5**
15 **above, and further in view of Chen, “Infrared Remote Control”, U.S. Patent**
16 **Publication 2003/0006904 A1.**
17

18 Regarding claim 6, the combination of the Admitted Prior Art and Babcock does
19 not disclose in which the on/off control switch is an infrared-ray remote control switch.

20 However, Chen teaches for purposes of convenience, devices previously not
21 equipped with remote control switches, may be provided with remote control infrared
22 switches.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffery Williams whose telephone number is (571) 272-7965. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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07.06.2005


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